

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOE HOLCOMBE AND
CLARYCE HOLCOMBE,

NO: 5:18-CV-00555-XR

Plaintiffs

vs.

UNITED STATES OF
AMERICA,

Defendant

JOINT MOTION TO APPROVE REVISED BILL OF COSTS

In accordance with LR CV-54(a)(3)(A) and after conferring regarding the Bill of Costs filed in the above-identified cause, the Parties hereby file this Joint Motion indicating the areas of agreement and disagreement as to Plaintiffs' Bill of Costs (Doc. 599) previously filed on April 14, 2022.

1. The United States has no objection to the following costs, which total \$100,964.85:

- \$400.00 for filing fee
- \$175.00 for docket fees
- \$4,088.91 for Rainmaker Inv1266035 3/31/21
- \$4,702.55 for Rainmaker Inv1266034 3/31/21
- \$275.55 for San Antonio Copy Concierge

- \$2,973.75 for The Exhibit Company
- \$3,632.63 for Rainmaker Inv1273173 4/12/21
- \$1,119.36 for Rainmaker Inv1401302 9/29/21
- \$7,670.81 for Rainmaker Inv1406300 9/30/21
- \$5,217.22 for Rainmaker Inv1406299 9/30/21
- \$208.38 for Rainmaker Inv1266060 4/2/21
- \$583.15 for Jacqueline Albright Transcript
- \$1,909.35 for Lyle Bankhead Transcript
- \$1,771.95 for Vince Bustillo Transcript
- \$1,668.70 for Kimberly Del Greco Transcript
- \$2,819.75 for Robert Ford, Jr. Transcript
- \$677.25 for James Graham Transcript & Video
- \$1,973.20 for Yonatan Holz Transcript
- \$2,750.00 for James Hoy Transcript
- \$1,603.85 for Col James Hudson Transcript
- \$1,279.45 for Lt Col Robert Bearden Transcript
- \$240.40 for Michael Kelley Transcript
- \$1,091.30 for Michael Kelley Transcript
- \$652.05 for Michael Kelley Volume 2 Transcript
- \$506.65 for Rebecca Kelley Transcript
- \$2,595.26 for Mandi Lookingbill & Robert Braden Trial Transcripts & Videos

- \$1,344.00 for Margaret McKenzie Trial Transcripts & Videos
- \$1,113.80 for Mjr. Nathan McLeod-Hughes Transcript
- \$850.90 for Candace Marlowe Transcript
- \$623.15 for Jeffrey L. Metzner Transcript
- \$580.55 for Clinton Mills Transcript
- \$1,560.24 for Brenda Moulton Trial Transcript & Video
- \$646.95 for Col. John Owen Transcript
- \$2,268.75 for James Kevin Poorman Transcript & Video
- \$2,865.10 for Jon T. Rymer Transcript
- \$2,261.80 for Tech Sgt. Ryan Sablan Transcript
- \$1,380.25 for Michelle L. Shields Transcript
- \$1,265.10 for Danielle Lee Smith Transcript
- \$1,534.90 for Terry Snyder Transcript
- \$1,657.60 for Special Agent Robert Spencer Transcript
- \$2,470.15 for Randall Taylor Transcript
- \$1,424.75 for R.T. Trial Transcript & Video
- \$1,701.10 for Col. Owen Tullos Transcript
- \$1.00 for Matthew Veltri Transcript
- \$1,331.85 for Shelley Verdego Transcript
- \$1,544.23 for Christopher Ward Trial Transcript & Video
- \$2,071.40 for Daniel Webster Transcript
- \$506.20 for Emily Willis Transcript

- \$1,519.90 for Colbey Workman Trial Transcript & Video
- \$1,628.60 for Col (Ret.) Larry Youngner Transcript
- \$185.20 for Joe Holcombe Transcript
- \$77.00 for Claryce Holcombe Transcript
- \$70.46 for Danielle Smith witness fee
- \$71.92 for Terry Snyder witness fee
- \$71.92 for Terry Snyder witness fee
- \$81.78 for Michelle Shields witness fee
- \$128.16 for Michael Kelley witness fee
- \$128.16 for Rebecca Kelley witness fee
- \$40.00 for Col Larry Youngner witness fee
- \$40.00 for Jon T. Rymer witness fee
- \$40.00 for Daniel Webster witness fee
- \$40.00 for Jeffrey L. Metzner, M.D. witness fee
- \$71.92 for Terry Snyder witness fee
- \$64.53 for Juanita Howanic witness fee
- \$136.43 for David Feltoon, Ph.D. witness fee
- \$62.62 for Angel Roman, M.D. witness fee
- \$731.70 for Robert Todd, M.D. witness fee
- \$59.04 for Christopher Ticknor, M.D. witness fee
- \$75.84 for David Altman, M.D. witness fee
- \$61.50 for Joe Gonzales, M.D. witness fee

- \$52.54 for Keith Fairchild, Ph.D. witness fee
- \$63.00 for Gigi Simcox – Motion to Dismiss Hearing
- \$299.75 for Gigi Simcox – 9/25/19 Pretrial Conference
- \$28.80 for Gigi Simcox – Status Conference held 2/2/2021
- \$277.95 for Gigi Simcox – Status Conference held 2/26/2021
- \$2,235.60 for Gigi Simcox – Daily Transcript of Bench Trial
- \$3,500.00 for Gigi Simcox – Deposit for Damages Trial
- \$1,198.00 for Gigi Simcox – Remainder for Damages Trial
- \$1,142.95 for Randall Taylor Video
- \$548.76 for Katy Sutton, PhD (Day 1) Transcript & Exhibits
- \$652.87 for Katy Sutton, PhD (Day 2) Transcript & Exhibits
- \$554.14 for Katy Sutton, PhD (Day 3) Transcript & Exhibits
- \$442.57 for Dr. David Feltoon Transcript

2. Plaintiffs agree to withdraw their requests for reimbursement of the following costs, which total \$18,415.18:

- \$22.73 for San Antonio Copy Concierge fees non-recoverable incidental fees
- \$757.75 for The Exhibit Company non-recoverable incidental fees
- \$1,064.75 for Blend Document Technologies
- \$45.00 for Lyle Bankhead Transcript non-recoverable incidental fees
- \$365.00 for Vince Bustillo Transcript non-recoverable incidental fees

- \$45.00 for Kimberly Del Greco Transcript non-recoverable incidental fees
- \$587.50 for Robert Ford, Jr. Transcript non-recoverable incidental fees
- \$45.00 for Yonatan Holz Transcript non-recoverable incidental fees
- \$755.00 for James Hoy Transcript non-recoverable incidental fees
- \$527.50 for Col. James Hudson Transcript non-recoverable incidental fees
- \$45.00 for Lt Col Robert Bearden Transcript non-recoverable incidental fees
- \$45.00 for Michael Kelley Transcript non-recoverable incidental fees
- \$45.00 for Michael Kelley Transcript non-recoverable incidental fees
- \$50.00 for Michael Kelley (Volume 2) Digital Media (video)
- \$60.60 for Rebecca Kelley Transcript non-recoverable incidental fees
- \$142.50 for Michael Kelley Sync (sync video, handling fee)
- \$107.50 for Rebecca Kelley Sync (sync video, handling fee)
- \$337.50 for Maj Nathan McLeod-Hughes Transcript non-recoverable incidental fees
- \$80.50 for Candace Marlowe Transcript non-recoverable incidental fees
- \$375.00 for Candace Marlowe Digital Media
- \$45.00 for Jeffrey L. Metzner Transcript non-recoverable incidental fees
- \$207.50 for Clinton Mills Transcript non-recoverable incidental fees

- \$45.00 for Col John Owen Transcript non-recoverable incidental fees
- \$2,257.45 for James Kevin Poorman Transcript & Video non-recoverable incidental fees
- \$45.00 for Jon T. Rymer Transcript non-recoverable incidental fees
- \$345.00 for TSgt Ryan Sablan Transcript non-recoverable incidental fees
- \$1,765.50 for TSgt Ryan Sablan Video
- \$45.00 for Michelle L. Shields Transcript non-recoverable incidental fees
- \$186.81 for Michelle L. Shields Video
- \$45.00 for Danielle Lee Smith Transcript non-recoverable incidental fees
- \$150.00 for Danielle Lee Smith Digital Media
- \$45.00 for Terry Snyder Transcript non-recoverable incidental fees
- \$282.50 for Terry Snyder Sync non-recoverable incidental fees
- \$1,032.50 for Special Agent Robert Spencer Transcript non-recoverable incidental fees
- \$45.00 for Special Agent Robert Spencer Transcript non-recoverable incidental fees
- \$1,722.90 for Special Agent Robert Spencer Video
- \$207.50 for Randall Taylor Transcript non-recoverable incidental fees
- \$270.01 for Col Owen Tullos Transcript non-recoverable incidental fees

- \$1,440.00 for Col Owen Tullos Video
- \$360.00 for Shelley Verdego Transcript non-recoverable incidental fees
- \$1025.50 for Shelley Verdego Video
- \$45.00 for Daniel Webster Transcript non-recoverable incidental fees
- \$45.00 for Emily Willis Transcript non-recoverable incidental fees
- \$75.00 for Emily Willis Digital Media
- \$50.00 for Col Larry Youngner Transcript non-recoverable incidental fees
- \$162.50 for Col Larry Youngner Digital Media
- \$50.00 for Claryce Holcombe Transcript non-recoverable incidental fees
- \$108.15 for Mandi Lookingbill & Robert Braden Trial Transcripts & Videos non-recoverable incidental fees
- \$109.90 for Margaret McKenzie Trial Transcripts & Videos non-recoverable incidental fees
- \$196.55 for Brenda Moulton Trial Transcript & Video non-recoverable incidental fees
- \$243.88 for R.T. Trial Transcript & Video non-recoverable incidental fees
- \$109.90 for Christopher Ward Trial Transcript & Video non-recoverable incidental fees

- \$11.55 for Colbey Workman Trial Transcript & Video non-recoverable incidental fees
- \$135.75 for James Graham Transcript & Video non-recoverable incidental fees

Based on the foregoing, the Parties agree that **\$100,964.85** is the total recoverable amount to be taxed as costs and included in the Judgment.

Accordingly, the Parties respectfully request that the Clerk of Court tax **\$100,964.85** as costs and include such costs in the Judgment in the above-captioned case.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

By our signatures above, we certify that a copy of this Joint Motion to Approve Revised Bill of Costs has been filed and sent to all counsel of record in this case on May 5, 2022 via the Court's CM/ECF notice system. The Parties further hereby confirm their compliance with the conference requirements of Local Rule CV-54.